

1 John C. Hueston (164921)
jhueston@irell.com
2 A. Matthew Ashley (198235)
mashley@irell.com
3 Moez M. Kaba (264651)
mkaba@irell.com
4 Justin N. Owens (254733)
jowens@irell.com
5 840 Newport Center Drive, Suite 400
Newport Beach, California 92660-6324
6 Telephone: (949) 760-0991
Facsimile: (949) 760-5200

7 Attorneys for Defendant
8 eAppraiseIT, LLC
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13	FELTON A. SPEARS, JR. and SIDNEY	)	Case No. 5:08-CV-00868 (RMW)
	SCHOLL, on behalf of themselves and all others)	
14	similarly situated,	)	<u>CLASS ACTION</u>
)	
15	Plaintiffs,	)	DEFENDANT EAPPRAISEIT'S
		)	PROPOSED VOIR DIRE QUESTIONS
16	v.)	
		)	Date: October 16, 2014
17	FIRST AMERICAN EAPPRAISEIT (a/k/a	)	Time: 2:00 p.m.
	eAppraiseIT, LLC), a Delaware limited liability	)	Judge: Hon. Ronald M. Whyte
18	company,	)	Place: Courtroom 6, 4th Floor
		)	280 South 1st Street
19	Defendant.	)	San Jose, CA 95113
)	
20)	

- 1 1. To be asked of each juror: Please tell us (1) where you were born and raised; (2) the extent of
2 your education; (3) your work history; (4) what you are doing now; (5) what your family
3 consists of and what they are doing now.
- 4 2. To be asked of each juror: Please tell us (1) about any prior jury service you may have had,
5 including the type of cases involved in any such service; and (2) whether you are acquainted
6 with any of the lawyers in the courtroom today
- 7 3. To be asked of each juror: Please tell us your interest and activities and what you like to do in
8 your spare time. Describe your hobbies, you social groups, what you like to read or watch on
9 television, etc.
- 10 4. Please raise your hand if you or anyone in your immediate family received a home loan,
11 whether a purchase loan, a refinance loan, or a home equity line of credit from Washington
12 Mutual Bank or Long Beach Mortgage from the years of 2004-2008.
- 13 5. The named Plaintiff in this case is Felton Spears. Please raise your hand if, before today, you
14 have ever heard of Mr. Spears. (If any responses, ask to explain their knowledge of Mr.
15 Spears).
- 16 6. Until recently, there was another named Plaintiff in this case named Sidney Scholl. Please
17 raise your hand if, before today, you have ever heard of Ms. Scholl. (If any responses, ask to
18 explain their knowledge of Ms. Scholl).
- 19 7. The defendant in this case is a company called eAppraiseIT, which I will call EA. Please raise
20 your hand if, before today, you have ever heard of EA. (If any responses, ask to explain their
21 knowledge of EA).
- 22 8. Another company you will hear about in this case is a company called Lender Services Inc.,
23 also known as LSI or LSI Appraisal. Please raise your hand if, before today, you have ever
24 heard of LSI (If any response, ask to explain their knowledge of LSI).
- 25 9. Another important company in this case is Washington Mutual Bank, which I will call WaMu.
26 WaMu was a large national bank, so many of you have likely heard of WaMu. Please raise
27 your hand if you ever had a banking relationship with WaMu.
28

- 1 a. Did you have any particularly strong impression, whether positive or negative, of your
2 banking relationship with WaMu?
- 3 10. Is there anyone who has feelings about banks that they think would make it difficult for them
4 to fairly and objectively assess the evidence in a case in which one party alleged that a large
5 national bank may have engaged in improper or illegal actions?
- 6 11. Is there anyone who has feelings about corporations that they think would make it difficult for
7 them to fairly and objectively assess the evidence in a case in which one party alleged that a
8 corporation may have engaged in improper or illegal actions?
- 9 12. Is there anyone who has feelings about real estate appraisers that they think would make it
10 difficult for them to fairly and objectively assess the evidence in a case in which one party
11 alleged that real estate appraisers engaged in improper or illegal actions?
- 12 13. Please raise your hand if you purchased a home in 2006 or 2007.
- 13 14. Please raise your hand if you or anyone you are close to is currently, has ever been, or has ever
14 had any training to become a real estate appraiser.
- 15 a. Please explain.
- 16 15. Please raise your hand if you have ever hired a real estate appraiser.
- 17 a. When did you hire that real estate appraiser?
- 18 b. For what purpose did you hire that real estate appraiser?
- 19 c. Did you have any particularly strong impression, whether positive or negative, of your
20 experience with that real estate appraiser?
- 21 16. Do any of you believe that when housing prices rise nationally and then later fall, that
22 appraisers are to blame?
- 23 17. Do any of you believe that mortgage banks should be blamed for the rise in housing prices that
24 occurred prior to 2008? (If yes, ask why).
- 25 18. Do you believe that when a seller and buyer agree on a purchase price for a house, that their
26 agreement reflects the market value for that house?
- 27
- 28

1 19. I am going to read off a list of potential witnesses in this case. It is not necessarily the case
2 that each of these witnesses will testify, however, it is possible that some of them will. As I
3 read their names, please raise your hand if you have ever heard of the witness before today:

- 4 a. Erik Adams
- 5 b. Steven S. Albert
- 6 c. Susan Allen
- 7 d. Tom Bickham
- 8 e. Raymond Bono
- 9 f. Tom Caruso
- 10 g. Ronald J. Cathcart
- 11 h. Paul Chandler
- 12 i. Teresa Cosie
- 13 j. Marsha Courchane
- 14 k. Mariame Daverio
- 15 l. Phyllis DeChristoforo
- 16 m. James Dillon
- 17 n. Donald Dobson
- 18 o. Adam Ellis
- 19 p. Rebecca English
- 20 q. Phil Etnyre
- 21 r. David Feldman
- 22 s. Gary French
- 23 t. Peter Gailitis
- 24 u. Mary Ann Garfield
- 25 v. James Gargano
- 26 w. Dennis Gilmore
- 27 x. Francois Gregoire
- 28 y. Charles Grice

1	z. Matthew Guzowski
2	aa. Stacey Harris
3	bb. Beverly Jo Hartman
4	cc. James Healan
5	dd. Arlene Hyde
6	ee. Christopher Jafari
7	ff. Rochelle Karlsen
8	gg. Troy Kendrick
9	hh. Sushuma Kistner
10	ii. Susan Lorrain
11	jj. Holly Lorenz
12	kk. Bonnie Manz
13	ll. Mike Malone
14	mm. Deanna McCann
15	nn. Anthony Merlo
16	oo. Jonathan Miller
17	pp. Dawn Molitor-Gennrich
18	qq. Patricia Morrison
19	rr. Kariem Ortiz-Vincenty
20	ss. John Parres
21	tt. Mike Perry
22	uu. Jill Petersen
23	vv. Mary Susan Pryor
24	ww. Susan Ramey
25	xx. Gina Rascati
26	yy. Joseph Reppert
27	zz. Kathleen Rice
28	aaa. Barry Sando

1 bbb. David Schneider
2 ccc. Kent Serviss
3 ddd. Bill Sherakas
4 eee. Carolyn Simmons
5 fff. Steven R. Smith
6 ggg. Steve Stein
7 hhh. William Steinmetz
8 iii. Maureen Sweeney
9 jjj. Mark Swift
10 kkk. Robert Tavener
11 lll. Bruce Thorvig
12 mmm. Thomas Westerfield

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28